

The New York Times
Company



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HON. Brian M. Cogan
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November 9, 2018

The Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Beltran-Levy, et al., 09-cr-466 – Seating for Reporters

Dear Judge Cogan:

I write on behalf of The New York Times Company (“The Times”) and other news organizations that regularly cover proceedings in the Eastern District. We understand that the Court is reserving one row of seats in the courtroom for reporters, and that such seats are to be claimed on a first-come basis. As a practical matter, that means no more than 10 journalists – including apparently the sketch artists – are likely to be in the courtroom on any given day. It is conceivable that all the seats will be taken by foreign news outlets or smaller publications, meaning that those outlets that reach the largest segments of the local and national markets will be unable to have reporters observe the proceedings live and in person. Accordingly, to assure that the public has meaningful access to coverage of the proceedings, we respectfully request that the Court direct the Marshals Service to reserve six seats for the outlets that have consistently covered Mr. Guzman’s case: The Associated Press, The New York Times, Newsday, the Daily News, the New York Post, and Vice News.¹

We appreciated the Court’s willingness, in response to our earlier letters, to accommodate press coverage of *voir dire*. The Court recognized the importance of having the press present so that the public could, through news reports, monitor the proceedings. As the Court noted in its

¹ We have sought assistance with this request from the District Executive and Supervising Marshal. While both have heard out our concerns, neither has been able to assure us that spots will be reserved for these six media outlets.

decision about *voir dire*, this case has “attracted observers, commentators, reporters, and readers from across the globe.” The Court also noted that the case is likely to address law enforcement relations between the United States and Mexico. In light of that broad public interest and the important issues implicated in this case, we believe that public would best be served by having the Court direct that the news organizations identified here be provided with places in the courtroom. While we understand that members of the press who cannot secure seats in the press row on a first-come basis will be permitted to take available seats elsewhere in the gallery, there is no way to know whether any such seats will be available at any given court session.

We thank the Court for its consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D E McCraw', with a horizontal line extending to the right.

David E. McCraw

cc: All counsel of record (via e-mail)